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INTERNATIONAL NARCOTICS BIWEEKLY REVIEW

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CONTENTS

	25X6
	25X1

AFGHANISTAN: Legal System Hinders Narcotics Control Effort.	12
NOTEWORTHY POLITICAL AND ECONOMIC DEVELOPMENTS	
1. Pakistan	13
2. India.	17
3. Greece-Turkey.	20
BRIEFS.	26
INTERESTING READING	28

This publication is prepared by analysts in the National Foreign Assessment Center for specialists in the Washington community who are interested in international narcotics matters. Comments and queries are welcome.

25X1

SECRET

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25X1

AFGHANISTAN: Legal System Hinders Narcotics Control Effort

Among the many factors tending to prevent an effective narcotics control program in Afghanistan is the legal system itself. One of the many vague provisions of the year old constitution apparently is being interpreted to mean that the police role in a criminal case ends at the time of arrest. The effect has been to shift much of the burden of narcotics investigations to the small staff of inexperienced public prosecutors.

Once a case gets to court, a written, signed confession is the only assurance of a conviction. Whether the confession is obtained depends largely on how hard the prosecutors are willing to try for one, and the process can become a form of plea bargaining.

Perhaps the most important shortcoming of the system is lack of a conspiracy provision in the criminal code. For example, even if a narcotics courier names those who hired him, they cannot be prosecuted. The government reportedly knows who some of the major figures in the narcotics traffic are, but has no way to touch them.

In most other types of criminal cases, the niceties of the legal system have not been a major impediment to either the police or the prosecutors. It is, for example, hard to imagine a situation in which a criminal act threatened President Daoud and an official allowed the constitution or the legal code to hinder the punishment of the criminal. The real problem may not be the legal system, but the low priority given to narcotics cases by those who administer the system.

25X1

1 February 1978

SECRET

NOTEWORTHY POLITICAL DEVELOPMENTS

(Editor's Note: These items, produced for another CIA publication, do not deal specifically with the international narcotics situation. They are included here, however, because they concern developing political or economic situations that could impact on the international narcotics control effort.)

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PAKISTAN: Zia Consolidates His Control

Chief Martial Law Administrator Zia-ul-Haq is taking further steps to consolidate his power in Pakistan--the appointment of a council of advisers announced on 14 January, and a shift in the assignments of senior army officers which is under way. Both moves seem to indicate that Zia expects to remain in office for an extended period of time. He has already ruled Pakistan twice as long as he originally planned when the military seized power last July.

The Council of Advisers, in effect a cabinet, supercedes an interim arrangement under which senior civil servants headed the ministries pending the return to an elected civilian government. The shift to a more formal and permanent council will make little difference either in the way Pakistan is administered or in the individuals who will administer it. The change indicates, however, that Zia now feels the need for a more institutionalized, and presumably longer lasting, arrangement.

In many cases the civil servants who were in charge of the ministries will remain in charge. Zia retained a number of portfolios, including defense, for himself, and it is unlikely that he will have either the time or the inclination to take a more active role in overseeing their activities. Several of the civil servants, including Ghulam Ishaq Khan, in charge of coordinating the

1 February 1978

SECRET

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SECRET

activities of the ministries, and Agha Shahi, in charge of foreign affairs, kept their old jobs, but now have ministerial rank.

Others on the council also kept their old posts including Attorney General Pirzada, Chief of Staff to the Martial Law Administration Lieutenant General Faiz Ali Chisti, and Security Adviser Lieutenant General Ghulam Hassan Khan, although the latter acquired some additional duties.

Among those who previously held no official position are Law and Parliamentary Affairs Adviser A.K. Brohi and Industries and Production Adviser (retired Lieutenant General) Habibullah Khan, both of whom previously were Zia's primary advisers in those areas.

Others in the council are experts in their fields; the railroads will be the responsibility of a retired railway official and the agriculture adviser is the head of an agricultural university.

Two of the members, Rear Admiral Sheikh (Petroleum) and Air Marshal Inamul Haq (Interior) may have been selected to give the Navy and the Air Force some representation on the council, and perhaps to give both men broader governmental experience. The two are leading candidates to head their services if the present chiefs retire this spring as scheduled.

In the meantime, Zia appears to have all but completed arrangements for a major shift in the assignments of senior military officers. The key changes will be among the corps commanders, after Zia probably the most powerful men in Pakistan.

1 February 1978

SECRET

SECRET

25X1

Arbab is now slated to become Pakistan's military representative with the Central Treaty Organization in Ankara, a post which has traditionally led only to retirement.

Iqbal will leave Lahore, the most prestigious of the corps commands, but will replace Arbab in Karachi. For Zia, the change will lessen the potential threat from Iqbal. It will take Iqbal time to develop the personal loyalty he had from his old corps; in addition, he will no longer be the martial law administrator of the Punjab, politically the most important province, or in direct control of Lahore, politically the most sensitive city. Iqbal has not lost a great deal in the change, however. His new corps is responsible for a much greater area, and is somewhat larger than his old corps. He will be martial law administrator for the Sind, politically the second most important province. His chances of someday becoming army commander do not seem to have suffered.

Chisti has already been appointed Chief of Staff of the Martial Law Administration, and has retained, at least for the time being, the command of his old corps. He will, however, be surrounded in the Punjab by other corps commanders known for their loyalty to Zia. The corps headquartered in Multan will be commanded by Lieutenant General Rahim-ud-din, currently assigned to Army headquarters, who is close to Zia. In Lahore, Lieutenant General Sawar Khan, another of Zia's friends, will replace Iqbal. The corps headquartered at Kharian will continue under the command of Ghulam Hassan Khan, Zia's

1 February 1978

SECRET

SECRET

security adviser, and a man whose political views are even closer to Zia's than those of the other generals.

The only other change of importance will be the promotion of Fazal-i-Haq, now a division commander in Peshawar, to replace Sawar Khan as corps commander there are martial law administrator for the North-West Frontier Province. The general is one of Zia's proteges, and may have originally been scheduled to take over in Lahore. Presumably, Zia decided that it would be more suitable to appoint the more senior Sawar Khan to that important post. Moreover, both Sawar Khan and Rahim-ud-din, who will go to Multan, may have been chosen partly because Zia expects they will be better able to handle growing civil disturbances in the Punjab than Fazal-i-Haq or Iqbal.

Zia's decision that it was necessary to institutionalize the body which has been advising him seems a clear indication that he is not now planning to hold early elections. He seems to be moving steadily away from his original plan under which the military was to avoid any policy decisions and concentrate exclusively on holding an election as soon as possible. The change in military commanders is not necessarily a step in the same direction. Iqbal, in fact, has been one of the strongest advocates of an extended period of military rule. The new military assignments, however, would give Zia more freedom to follow any political policy he wishes.

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India: Restoration of Civil Rights

The Janata government was installed 10 months ago with promises to restore and consolidate civil liberties in India. Prime Minister Morarji Desai's cabinet immediately moved to dismantle portions of Indira Gandhi's emergency rule, permit open political debate, release most political prisoners, and reestablish a free press. But the government was stymied when it came to the more ambiguous aspects of Gandhi's authoritarian legislation.

1 February 1978

SECRET

SECRET

In treating both the Maintenance of Internal Security Act (MISA) and the 42nd constitutional amendment, Desai and his colleagues were caught between their desire to have a politically free society and the need of a democratic government to protect itself against extremist threats. This dilemma as well as the consequent degree of dismantling emergency rule are still being discussed in India.

Gandhi herself took the first steps--perhaps intended as temporary--to dismantle emergency rule. When she announced in January 1977 that free elections would be held, she ordered that arrested politicians be released, permitted electoral activities on the part of the opposition, and informed the press that censorship was being lifted. Just before leaving office in March, Gandhi refurbished the independence of the judiciary by revoking the internal emergency proclamation of 1975.

It remained for Desai's cabinet, however, to attempt to safeguard India's restored democracy after the Janata party's stunning electoral victory. The government released most of the persons arrested under MISA; by November 1977, some 403 remained in prison, down from 6,851 in March. (Of these, 388 were foreigners awaiting expulsion.) An equally small number of people were still being detained under the Defense and Internal Security of India Rules (DISIR) for illicit financial dealings and smuggling. The government has also been slowly releasing those Naxalites from eastern India who agree to give up their insurrectionary methods of protest. (It is not clear if the Naxalites, a far left revolutionary group formed in 1967, are being detained under either of the above-mentioned acts or under other constitutional arresting powers of the Indian Government.)

Additionally, Janata moved directly against the alleged arm of Gandhi's authoritarianism, the Research and Analysis Wing (RAW) of the Cabinet Secretariat. RAW has been reduced in size, reformed at the top, and limited strictly to its external intelligence gathering function. To ensure against future aberrations, the new head of RAW will report only to the cabinet secretariat, composed of independent civil servants, rather than to the Prime Minister directly.

1 February 1978

SECRET

SECRET

The Desai government moved to ensure journalistic freedom by repealing the Prevention of Publication of Objectionable Matter Act, which made censorship legal, and it also returned to reporters their immunity in covering parliamentary debates. Moreover, the new government immediately took up the future of Samachar, the unified news agency created by Gandhi to control the press, and appointed a commission composed of journalists to suggest an appropriate revamping of news agencies. The commission, headed by Kuldip Nayar, a respected editor, proposed dividing Samachar into three new press services. The report generated much controversy, and in the end, Information Minister Advani opted for returning to the old, pre-emergency system of four independent and competing agencies. This proposal was introduced in the lower house in December 1977 and goes into effect on 1 February.

The progress of the Desai cabinet in restoring individual liberties faltered a bit when it had to deal with the contradictions existing between the political rights of citizens and the government's need to maintain law and order. Although one of Janata's campaign promises had been to take MISA off the books, due to the influence of Home Minister Charan Singh, the act is still in effect. Its content has been modified, however, and persons can no longer be detained for up to two years without being told of the reasons for their arrest; they must now be informed promptly. MISA, incidentally, predates the emergency but became increasingly controversial after June 1975 as a result of its widespread use by Gandhi to silence her opponents.

A similar hesitation about removing the 42nd constitutional amendment that solidified emergency rule also prevails in ruling circles. Desiring to retain some powers of law enforcement in exceptional situations, the government has not yet moved to repeal the amendment in toto, but decided instead to revise the 42nd amendment in a limited way. Under the provisions of proposed legislation, Parliament would deprive itself of its unlimited power to identify and prohibit "antinational" organizations, and concomitantly, the old powers of the federal supreme and state high courts to review legislation would be restored. While legislative action is still pending in the upper house, because of complaints that Janata has not lived up to its campaign pledge, Law

1 February 1978

SECRET

Minister Shanti Bhushan has assured the public that the remaining articles over which Janata and Congress disagree will be dealt with in future parliamentary sessions. (Congress cooperation is necessary since it still has a majority in the upper house, which must approve all amendments to the constitution.)

On the whole, the Desai government has made ample progress in restoring civil liberties in India. Despite a slowing down of the process in recent months, Janata apparently retains the trust of the electorate in its handling of political freedoms. [REDACTED]

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Greek-Turkish Relations: Status and Prospects

Greek-Turkish relations, long strained over the Cyprus and Aegean disputes, are at a crossroads. Both Greece and Turkey now have cohesive governments and are led by bold and innovative leaders who have relatively pliant counterparts on Cyprus. The two countries may be able to seize this opportunity to make some dramatic progress in settling their differences. Strong mutual mistrust and reluctance to compromise remain to be overcome, however, and in the absence of a settlement, the very decisiveness of their leaders could eventually lead them into a military confrontation. The results of approaching working-level meetings on the two disputes and of the tentatively scheduled spring summit between Greek Prime Minister Caramanlis and Turkish Prime Minister Ecevit will undoubtedly determine which direction Greek-Turkish relations will take.

In the new Ecevit government, Turkey, for the first time in several years, has an administration that seems relatively cohesive and determined to try to solve Turkey's pressing domestic and foreign policy problems. Greece too still has a strong government with a fresh mandate, despite Prime Minister Caramanlis' losses in the November election.

1 February 1978

SECRET

SECRET

In Cyprus, the interregnum following the death of President Makarios last August is about to end. Interim President Spyros Kyprianou is preparing to assume the presidency in his own right by acclamation for want of any opponents. And while his government will not be as strong as Makarios', this is compensated for by its greater susceptibility to the moderating influence of Athens. Turkish Cypriot leader Denktash, meanwhile, must again follow Ankara's moderating lead now that he can no longer play one coalition partner against another as he did with the Demirel government.

The stage is therefore set for serious negotiations, but there are formidable psychological barriers separating the protagonists and wide substantive and even procedural differences.

Enter Ecevit

Ecevit's recently announced intention to take the initiative to solve his country's differences with the Greeks clearly is the most important new factor in the equation. Impetuous and stubborn, but also imaginative, Ecevit hopes to make enough progress to consolidate his position and win the international sympathy and assistance necessary to solve Turkey's serious social and economic problems.

Departing from the more timid policy of his predecessor, Ecevit has announced his intention to present more forthcoming constitutional proposals providing for a stronger central Cypriot Government, and also a concrete territorial proposal. He said he would do this whether or not the US arms embargo is lifted. At the same time, he has hinted to US officials that he may have to revise Turkey's commitment to NATO and the size of its defense establishment if it does not secure adequate assistance from its allies. He has also claimed that while he would not link the Cyprus and Aegean disputes, negotiations should be held simultaneously since progress in one would improve prospects for progress in the other. Ecevit believes it is important for Athens and Ankara to assume responsibility for the conduct of their respective Cypriot communities in the intercommunal talks and has called for an early summit with Caramanlis to discuss both disputes.

1 February 1978

SECRET

Greeks Wary

Greek and Greek Cypriot reactions to Ecevit's stated intentions on Cyprus are probably best described by the Cypriot Ambassador to Washington, who termed them as almost too good to be true. The Greeks' incredulity arises from what they view as three years of Turkish dilatoriness and gestures aimed mainly at lifting the US arms embargo, which the Greeks believe is the only source of effective pressure on Turkey. Even if they appreciate that Ecevit--the "hero" of Cyprus who ordered the Turkish intervention in the first place--may have a freer hand, they remember him more as a hard-liner, who will not be more flexible, only more cunning. They fear he will somehow outmaneuver them and succeed in deflecting international pressure while making few concessions. Thus, the Greeks and Greek Cypriots have agreed to adopt a cautious approach and seem even to have upped the ante. They now insist the Turkish proposals must not only be concrete but "reasonable" before they agree to a resumption of talks.

The mainland Greeks are even more concerned over Ecevit's Aegean policy, remembering that here too it was Ecevit who in 1974 first challenged their self-proclaimed hegemony there. They suspect he will adopt a tough line on the Aegean and will try to trade off Turkish concessions on Cyprus for Greek concessions on what they consider to be the far more important Aegean issues. Caramanlis' rejection of a direct role for Greece in the Cyprus talks reflects his belief that ultimately it is the Greek side that will have to accept a reduced status both on Cyprus and the Aegean; and he does not want to face the domestic repercussions of both. The Greek Prime Minister has given a qualified yes to a summit meeting with Ecevit, but indicated it would require "a minimum of preparation" and would hinge on the outcome of the lower level talks to be held beforehand.

Along with their distrust of the Turks, however, Greek and Greek Cypriot nervousness can be attributed to the fact that for the first time they are confronted with the real possibility that their own willingness and

1 February 1978

22

SECRET

SECRET

psychological readiness to make the difficult decisions necessary for a settlement may be put to the test if Ecevit's proposals provide the basis for a compromise settlement.

Ecevit's Initiative Launched

The content of Ecevit's Cyprus proposals and his Aegean approach will soon become apparent. In addition to his meetings with UN Secretary General Waldheim last week and those held with Secretary of State Vance, Ecevit met for two days with Denktash. Foreign Minister Okcun, meanwhile, made a point of receiving the Greek Ambassador immediately after the Turkish Government received a vote of confidence on 17 January. The next day, the government announced that the Greek-Turkish negotiations on the Aegean continental shelf would resume in Paris at the experts level on 12 February. On Cyprus, Ecevit told UN and US officials he cannot be as generous as he might have been in 1974 when he indicated a willingness to reduce the Turkish-controlled zone, which composes 36 percent of the Republic, by almost a fourth but that the issue was negotiable within certain limits.

Ecevit is likely to insist, however, that freedom of movement must be implemented gradually and that freedom of settlement must be limited so that Turkish Cypriots can retain numerical and economic supremacy in their zone. Ecevit had little to say about a constitution except that he wanted to see a genuine rather than a bogus federation established. Waldheim now has the consent of all interested parties for a procedure in which he will first examine the new Turkish proposals and will then determine whether they warrant a resumption of the Cyprus talks, probably in March.

Little is known about Ecevit's current thinking about Aegean issues except that he considers the Aegean to be "vital" to Turkey for strategic and security as well as economic reasons. He believes that Greece used its NATO membership to increase gradually its prerogatives and that Turkey must now assert its own rights so

1 February 1978

SECRET

that the Aegean is shared equally, possibly by joint exploitation of its mineral wealth. In a departure from his predecessor, however, he has also indicated that he is ready to give the Greeks solid assurances that Turkey has no designs on Greek islands and is prepared to offer "concrete guarantees" to that effect.

Likely Greek Response

There is much in Ecevit's partially revealed outline of a Cyprus settlement that would find a positive response among Greeks and Greek Cypriots. His view of a large but significantly reduced Turkish Cypriot zone, a central government with significant if limited power, and a partial return of refugees does not differ that much from what the Greeks and Greek Cypriots are likely to settle for. Their opening territorial proposal of last April conceded 20 percent of the republic to the Turkish Cypriots but they have openly hinted they could accept a 25 percent figure

25X1 [redacted] Their main concern on the constitutional issue is that the central government have primary jurisdiction over foreign affairs so that the north does not become a mere appendage of Turkey.

Greek-Turkish differences in the Aegean are wider. Contrary to the equal rights and access likely to be claimed by Ecevit, the Greeks have insisted that history, precedent, and their need to safeguard the sovereignty and access to their many islands entitle them to the lion's share of shelf rights and residual control of Aegean airspace even if some reciprocal accommodations are made. Their proposal for delimiting the shelf envisages a series of finger-like salients extending outward from the two mainlands--the Greek salients encompass the easternmost Greek islands and Turkish salients extend midway into the Aegean, thereby conceding up to a fourth of the shelf to the Turks. As for airspace, the Greeks have accepted the principle of advanced reciprocal notification for military flights heading over the eastern Aegean, but they insist they must continue to have exclusive control of civil aviation. Ecevit's offer to "guarantee" that any reallocation of Athens' prerogatives will not compromise the status of the Greek

1 February 1978

SECRET

SECRET

islands would be an important new factor in the dispute and could persuade the Greeks to be more willing to accept a greater Aegean role for Turkey. In the past the Greeks have tried to secure such a guarantee from the United States.

Whether Ecevit's initiative can retain its momentum and the Greeks be drawn into negotiations, however, will depend on how flexible his opening positions will be. If, as he has claimed, he is seeking a speedy solution to both the Cyprus and Aegean disputes, those positions will have to be conciliatory indeed, in which case the Greeks will find it difficult not to be responsive. If, on the other hand, his opening proposals represent only a marginal improvement over earlier Turkish positions, the Greeks may balk, suspecting that his real aim may only be to secure enough movement to improve relations with Turkey's allies and secure needed military and economic assistance. The Turks' failure to include the cession of the Greek Cypriot section of Famagusta in their opening proposal, for example, may evoke such a response. Greek-Turkish relations might then revert to a more tense state, increasing the risk of an eventual military clash either by design or by miscalculation.

25X1

1 February 1978

SECRET

SECRET

BRIEFS

HUNGARY: Hungarian customs officials are using trained dogs to help intercept marijuana and hashish smuggled through Budapest's Ferihegy Airport. One dog--a fox terrier trained in East Germany--is credited with the recent discovery of three kilograms of hashish in luggage on a plane from Lebanon. The illicit hashish apparently was destined for Western Europe.

25X1

PAKISTAN: Increasing attention is being given to Pakistan as a potential source of significant quantities of illicit opium and heroin for international markets. The Embassy in Islamabad recently noted that Pakistani opium production, the country's proximity to Iran and Turkey, and the government's attitude toward narcotics production make Pakistan a viable alternative to Mexico and the Golden Triangle for opium and opium products. It noted further that recent seizures of heroin underline the growing threat posed by Pakistani narcotics to the international narcotics control effort.

The Embassy strongly favors an international consortium approach to the Pakistani problem as the best way to demonstrate the high priority which the international community places on the narcotics problem. Such an organization could be used for channeling resources for development and as a logical vehicle for expressing concern over the problem and offering development support for inhibiting opium poppy cultivation.

The basic problem in Pakistan, as in many of the neighboring countries, is the difficulty of trying to promote positive action programs. Government officials, especially at the middle level, are often quick to draw up plans and make elaborate recommendations, but they have little confidence that the government hierarchy will do much to implement the plans or correct known abuses. An international consortium might give the Pakistani

1 February 1978

SECRET

SECRET

Government, especially officials who are in positions of influence, more incentive to draw up comprehensive development plans--even for such difficult but important areas as the North-West Frontier Province--and with essential international financial assistance, help promote alternatives to opium poppy cultivation. Even with consortium assistance, however, very close supervision and monitoring would be necessary--a situation that would be extremely difficult in the North-West Frontier Province area even under the best of circumstances. More probably could be accomplished, however, under a consortium arrangement than would be possible either bilaterally or through the UN Fund for Drug Abuse Control. [REDACTED]

25X1

THE NETHERLANDS ANTILLES: According to information received recently from the American Consulate in Curacao, Parliament has unanimously voted to increase the prison term for drug trafficking from four to 10 years. All political factions reportedly agreed that strong measures were necessary to end the Netherlands Antilles image of being a convenient transfer point for narcotics trafficking between South America and the US. [REDACTED]

25X1

25X1

1 February 1978

SECRET

SECRET

INTERESTING READING

*Increased Drug Addiction Among Youth (INDIA)--TNDD,**
No. L/7566, 16 January 1978, pp. 2-3. "In Delhi, Calcutta, Bombay, and some other big cities of India, pot sessions have become the 'in' thing. More and more students are taking to drugs each year. One estimate puts the number of hard-core addicts among the university students at about 70,000, while some say that they could well be twice as many."

Arrests of Drug Abusers Increase Sharply (JAPAN)--
TNDD, No. L/7566, p. 5. "More than 13,000 persons were arrested for smuggling, trafficking, or using stimulant drugs in the first eleven months of 1977 according to the National Police Agency. A sharp increase in the number of crimes involving stimulant drugs indicates that the nation has entered a second 'peak' period, following that of the early 1950s."

Narcotics Bureau Set Up as Separate Unit (SRI LANKA)--
TNDD, No. L/7566, p. 18. "The government has decided to establish a Central Narcotics Intelligence Bureau (CNIB) which would function as a separate unit under the Police Department. German shepherd and Labrador dogs trained in Geneva would board all ships arriving from the Far East in order to 'sniff out' heroin and hashish which were being smuggled regularly to Europe and the United States on board these freighters."

Number of Drug Violations Expected to Double From 1976 (FINLAND)--TNDD, No. L/7566, pp. 51-52. "Finland's drug problem has worsened, rather than improved, in recent years according to the city attorney. The number of smugglers, distributors, and pushers of drugs have increased."

*US Joint Publications Research Service (JPRS) Translations on Narcotics and Dangerous Drugs. Published by JPRS, 1000 Glebe Road, Arlington, Va. 22201.

25X1

1 February 1978

SECRET

SECRET

Turkish Role in Heroin Trade Discussed (WEST GERMANY)--
TNDD, No. L/7566, pp. 77-81. "The West German heroin market is of late being dominated by the Turks. They have pushed out the Israelis and Arabs and have intensified the narcotics trade to such an extent that West Germany is already competing with the Netherlands for the position as leading narcotics distribution center (in Europe)." From an item in 21 Nov 77 issue of *Der Spiegel*.

Prosecutor Suggests Closer Police and Army Cooperation in Combating Drugs (BRAZIL)-- TNDD, No. L/7571, 23 January 1978, pp. 29-30. "Closer cooperation between the police and the armed forces is the only solution for preventing narcotics from entering the country and for keeping the so-called 'drug trail' away from the large cities. This would make it easier to supervise rivers and airways and to detect the clandestine landing fields."

Municipalities Coordinate Anti-Coca Trade Plans (PERU)--
TNDD, No. L/7571, p. 100. "All retail grocery operators violating the recent Supreme Decree suppressing coca sales in Lima will lose their licenses. District councils will be charged with coordinating the campaign against coca sales."

Gangs Smuggling Opium, Selling Heroin, Hashish Arrested (IRAN)-- TNDD, No. L/7571, pp. 107-109. "With the arrest of two big heroin and hashish gangs, the officials of the Drug and Narcotics Bureau of the Police Department succeeded in seizing 68 kilograms of pure heroin and 174 kilograms of hashish. After bringing opium from Afghanistan, the members of the gang changed the opium into heroin in their equipped laboratory. Then, with the cooperation of their agents, they sold the heroin to distributors in Tehran and other cities."

1 February 1978

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